

The Highland Licensing Board

Meeting – 25 June 2024

Agenda Item	8.1
Report No	HLB/58/24

Application for the grant of a premises licence under the Licensing (Scotland) Act 2005

The Highland Council, Town House, High Street, Inverness, IV1 1JJ

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a premises licence in respect of Town House, High Street, Inverness, IV1 1JJ

1.0 Description of premises

1.1 The Town House is situated on Inverness High Street between Castle Street and Castle Wynd and consists of ground floor foyer, suite of civic reception rooms and offices.

2.0 Operating hours

2.1 The applicant seeks the following **on-sale** hours:

On sales:

Monday to Sunday: 1100 hours to 0100 hours

The applicant seeks the following **off-sale** hours:

Off sales:

Monday to Sunday: 1000 hours to 2200 hours

3.0 Background

3.1 On 20 April 2024 the Licensing Board received an application for the grant of a premises licence from The Highland Council, Civic Office, Town House, High Street, Inverness, IV1 1JJ.

The application was accompanied by a Disabled Access Statement.

3.2 The application was publicised during the period 29 April until 20 May 2024 and confirmation that the site notice was displayed has been received.

- 3.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & Rescue Service and the Council's Community Services (Environmental Health) and Planning and Building Standards were consulted on the application.
- 3.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.6 The applicant must nevertheless be given the opportunity to be heard before the Board determines the application and has accordingly been invited to the meeting. The applicant has been advised of the hearings procedure which may also be viewed via the following link:

[Highland Licensing Board - Hearings](#)

4.0 Legislation

- 4.1 The Licensing Board must, in considering and determining the application, consider whether any grounds of refusal apply and, if none of them applies, the Board must grant the application.

Relevant grounds of refusal are: -

1. that the premises are excluded premises;
 2. that the Board considers, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence;
 3. that the grant of the application would be inconsistent with one or more of the licensing objectives;
 4. that having regard to;
 - (i) the nature of the activities proposed to be carried on in the subject premises,
 - (ii) the location character and condition of the premises, and
 - (iii) the persons likely to frequent the premises,the Board considers the premises are unsuitable for use for the sale of alcohol, or
 5. that the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises, in the locality.
- 4.2 For the purposes of the Act, the licensing objectives are-
 - (a) preventing crime and disorder,
 - (b) securing public safety,
 - (c) preventing public nuisance,
 - (d) protecting and improving public health, and
 - (e) protecting children and young persons from harm.

4.3 If the Board would refuse the application as made, but a modification is proposed by them and accepted by the applicant, the application can be granted as so modified.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

The premises of Inverness Town House situated in Inverness City Centre comprise of an imposing ground floor foyer leading to a suite of civic reception rooms on the ground floor and a hall, chamber room and further civic reception rooms on the first floor of the premises.

(i) Application has been made for a grant of premises licence to permit the sale of alcohol as follows:

On Sales - Monday to Sunday: 1100 hours to 0100 hours

Off sales - Monday to Sunday: 1000 hours to 2200 hours

Inverness Town House has been used as a venue for bookings for civic receptions and entertainment acts over a period of years, where alcohol has been sold by use of occasional licences by the booking agents. The owners of the premises Inverness Common Good Fund are themselves now seeking to make extensive use of the building with a view to marketing the premises and offering, conferencing, receptions such as weddings, funerals, birthdays, retirements etc., live performances and dance facilities; among a range of other activities including formal council and committee services meetings and guided tours of the historic building. The facilities will be made available for bookings with or without alcohol, dependant on the type of event to be hosted but the operators seek to have the flexibility to sell alcohol if appropriate to do so and requested by those groups.

(ii) The application for off sales is sought to be able to sell miniatures as part of guided tours to visitors as a memento of the visit.

(iii) The alcohol will be supplied from a locked stock room on the first floor of the building to each respective room if requested as part of the booking.

(iv) The LSO has visited the premises and provided advice and guidance in the compilation of the application. The application and operating plan is compliant with HLB policy.

(v) A full set of Section 50 certificates has accompanied the application together with the required Disabled Access statement.

(vi) The LSO is satisfied that should the HLB wish to grant this application then there will be no threat to the Licensing Objectives.

(vii) Following the public consultation phase of this application no Objections or Representations have been made to HLB.

6.0 HLB local policies

6.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2023-28
- (2) Highland Licensing Board Equality Strategy

7.0 Conditions

7.1 Mandatory conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

7.2 Local conditions

No local conditions consider necessary.

7.3 Special condition

The only factor the LSO does recommend consideration for is glass disposal for which a specific local licensing condition has now been recommended i.e. all glass disposal operations shall cease between the hours of 2300 hours and 0800 hours.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the special condition detailed at para. 7.3 above.

If the Board is minded to refuse the application, the Board must specify the ground for refusal and, if the ground for refusal is in relation to a licensing objective, the Board must specify the objective in question.

Reference: HC/INBS/702
Date: 11 June 2024
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